

REMARKS

Claims 5, 7, 12 and 14 are pending in the above application. By the above amendment, claims 1-4, 6, 8-11, 13 and 15-21 have been cancelled without prejudice.

It is noted that claims 5, 7, 12 and 14 have been rewritten in independent form and that the scope of these claims has not been changed. By canceling claims and rewriting formerly dependent claims in independent form, issues for appeal have been simplified and no new issues have been raised. The entry of the above amendments as provided for by 37 C.F.R. 1.116 is therefore respectfully requested.

Claims 1-21 were rejected in the Office Action dated July 3, 2006. It is respectfully submitted that the rejections of the cancelled claims are now moot. The rejections of claims 5, 7, 12 and 14 which remain pending in this application are addressed below.

Claim 5

Claim 5 was rejected in the Office Action dated January 10, 2006, under 35 U.S.C. 103(a) as being unpatentable over Leong in view of Redd. Neither claim 5 nor the limitations of claim 5 were specifically mentioned in that Office Action. In a Reply filed April 10, 2006, Applicant argued that the limitations of claim 5 were not shown or suggested by the references. The final Office Action dated July 3, 2006, again rejects claim 5 under 35 U.S.C. 103(a) as being unpatentable over Leong in view of Redd, but does not explain where the limitations of claim 5 can be found in the art of record. Moreover, the Office Action does not respond to the arguments presented in connection with claim 5 in the previous Reply. This is contrary to the requirements of MPEP 707.07(f) which requires that the examiner answer all matters traversed. Applicant maintains the arguments regarding claim 5 made in the April 10, 2006, Reply. It is therefore respectfully requested that claim 5 be allowed or that a new Office Action be provided in which Applicant's arguments regarding claim 5 are addressed.

Claim 7

Claim 7 was rejected in the Office Action dated January 10, 2006, under 35 U.S.C. 103(a) as being unpatentable over Leong in view of Redd. Applicant traversed this rejection in a

Reply filed April 10, 2006. The final Office Action dated July 3, 2006, again rejects claim 7 under 35 U.S.C. 103(a) as being unpatentable over Leong in view of Redd, but does not respond to the arguments presented in connection with claim 7 in the previous Reply. This is contrary to the requirements of MPEP 707.07(f) which requires that the examiner answer all matters traversed. Applicant maintains the arguments regarding claim 7 made in the April 10, 2006, Reply.

In addition, the July 3, 2006, Office Action indicates that client 200 of Leong is being interpreted as corresponding to the “customer service system” and server system 400 is being interpreted as the order assigning system required by claim 7. Applicant will accept these interpretations, for purposes of argument only, in connection with the following discussion of claim 7. Claim 7 requires that a order assigning system transfer information related to the selected laboratory to the customer service system. Thus, under the interpretation used in the Office Action, server system 400 would have to transfer information to client 200 about which printer has been selected. Such an action is not shown or suggested by Leong. The fact that “spooler 410 can also receive client management requests” as quoted in the Office Action does not show information about a selected laboratory being sent to client 200.

Claim 7 further requires that based on “the information,” in other words, the information regarding a selected laboratory, the customer service system generates information for selecting a laboratory. Client 200 of Leong does not generate any information based on “the information” because client 200 of Leong does not receive any information corresponding to “the information” required by claim 7. Claim 7 further distinguishes over Leong for this reason.

Claim 12

Claim 12 is stated to be rejected for “the same reasons as claim 5.” As noted above, no reasons for rejecting claim 5 have been provided. Claim 12 is therefore submitted to be allowable for at least the same reasons as claim 5.

Claim 14

Claim 14 is rejected for the same reasons as claim 7. Claim 14 is respectfully submitted

to be allowable for at least the reasons provided above in connection with claim 7.

CONCLUSION

Each issue raised in the Office Action dated July 3, 2006, has been addressed, and claims 5, 7, 12 and 14 are submitted to be in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: October 2, 2006

Respectfully submitted,

By 

Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant